

EXECUTIVE OFFICE OF ELDER AFFAIRS
MEETING OF THE ASSISTED LIVING ADVISORY COUNCIL (ALAC)
Minutes - September 27th, 2016

Those who attended the meeting included:

ALAC members: Karen Bresnahan, DHCD (By Phone), Richard Moore, Michael Poissant, and May Shields.

EOEA staff: Secretary Alice Bonner, Emily Cooper, Siobhan Coyle, Trish Marchetti, and William Travascio.

Others: Ellen Graham, Dr. Lucian Leape and Elissa Sherman.

1. **Call to order:** The meeting was called to order by Secretary Bonner, at 10:06 a.m.
2. **Welcome and Introductions:** William Travascio, the Council's new Secretary, introduced himself to the members of the Council.
3. **Review of Minutes:** The minutes from the June 28th, 2016 meeting were presented, and, with no objections, were approved.
4. **EOEA Updates:**
 - A. 2015 Annual Aggregate Data Report: Trish Marchetti, Program Manager - Assisted Living Certification – EOEA: Presented on the annual report that EOEA conducts every year. The report is compiled from responses taken from residents at Assisted Living Residences (ALRs). Residents are asked about their care needs and residency over the calendar year. The report is available online. The report is consistent from year-to-year, but there were incremental increases in special care units for consumers with dementia.

Richard Moore, President – Massachusetts Assisted Living Association: Commented that there are fewer ALRs in Berkshire, Hampden, and Franklin Counties than there are in other parts of the Commonwealth. He said that one strategy that has worked to lower costs for companies is partnering with Mass Development to reuse state owned lands. Mass Development has partnered with companies to build new ALRs and Independent Living Centers (ILCs) on Northampton State Hospital and Belchertown State School grounds.

Dr. Lucian Leape asked how long the waiting lists are for ALRs? Sen. Moore responded that facilities are in the 90% occupancy range and that it takes around one year to move into a newer facility. However, waiting lists are not typically too long. May Shields commented that she oversees an affordable ALR, and, that at her facility there has been a very long waiting list. Sometimes consumers move into long term care before they can receive a space in her facility. She added that people who are applying for assisted living need to be in assisted living, not supportive housing, they are not interchangeable.

Secretary Bonner asked the group what functions people can no longer perform that prompt the consumer to transition from assisted living to long term care. May Shields felt that it was

timing, saying that sometimes the facility that the consumer wants, is not available and so they end up in the wrong place.

Dr. Leape asked how 'Assisted Living' is defined in Massachusetts. Trish Marchetti replied that it is a certified housing environment where: 3 or more people live, services are being provided (i.e., medication assistance), and a fee is being collected for the delivery of services. The staff within this community provide or arrange for the services within the confines of the building. Next, Dr. Leape asked what the staff requirements are for an ALR. Trish Marchetti replied that if the ALR is a special care facility (i.e. they treat people with dementia) then there needs to be awake staff 24/7. Traditional living ALRs need staff onsite and available, but they need not have awake staff 24/7. Nurses do not need to be available all of the time because a nurse's role is limited in assisted living. Usually health aides provide the day-to-day care for the patients. Services and housing need to be bundled together in one payment in order to be considered an ALR.

Dr. Leape asked what the ratio of ownership of ALRs is. Emily Cooper, Chief Housing Officer – EOE said that a recent EOE survey would reveal that. Sen. Moore commented that 90% of residents are private pay.

Sen. Moore further commented that many elders are being considered low income because they were not able to save or because they did not think they would live as long. Sen. Moore noted that the average age of consumers moving into ALRs is between 85-87 years of age. As a result of age many of the consumers have health problems (i.e., diabetes). Trish Marchetti responded by saying that while having a nurse give insulin injections is not an option right now, if the regulations change, it may become an option. Under the current regulations a family member can come in and give an injection. Sen. Moore commented that the ALRs evaluate a consumer before they move in and create a service plan that is specific to that consumer's care needs. He also said that the facility monitors the consumer and determines whether the consumer, may need to move into long term care.

Secretary Bonner commented that the challenge is to provide just what is needed in an ALR without it becoming a nursing home so that people can stay as long as they want without over medicalizing the facility. Sen. Moore commented that in Connecticut companies are building nursing homes that are more residential and resemble college dorm rooms, to make it less like a hospital setting.

May Shields was surprised how consistent the data was from year to year. However, she mentioned that the number of people with dementia has been slowly increasing over the last ten years. May also said that her facility teamed up with Boston University to survey her residents. She was surprised to learn that 79% of her residents self-reported that they have depression.

B. Assisted Living Survey: The survey was sent out by Elder Affairs to the owners of the Assisted Living Residence owners. The survey was recently closed, and analysis will be available by the next meeting. Emily Cooper said that 55% of the network responded to this voluntary survey. Dr. Leape was concerned that a 55% response rate would not paint an accurate picture of the industry in Massachusetts. Trish Marchetti commented that the number of residents represented in the survey could be higher because some businesses own more than one ALR, and therefore, may have only answered one survey rather than one for each facility they own. Emily Cooper commented that soon EOEa would be able to provide a summary report along with a list of the facilities that participated in the survey.

C. Assisted Living Regulations: No Comments

5. **Industry Updates:** Sen. Moore shared a study his organization recently released titled: "Economic Impact of Assisted Living Communities in Massachusetts." The study was conducted by the research firm TrippUmbach. This study found that the Assisted Living Industry in Massachusetts contributes \$5 Billion to the Massachusetts economy annually, not counting construction costs. Sen. Moore believed that if there were ever a section 8 model for assisted living, where a person could receive limited services, it would be popular because costs would be low.

Emily Cooper commented that through federal regulations, a consumer can enter Assisted Living using a Section 8 voucher. However, the consumer would need to meet all of the requirements but few consumers enter into this program because there are few vouchers available. These vouchers only pay for housing but not the cost related to services received, which would need to be paid for out of pocket. Emily also commented that while, Massachusetts has a housing voucher program that is similar to Section 8 (Massachusetts Rental Voucher Program (MRVP)), there is not a way to track consumers to see if they are using those vouchers in Assisted Living Residences. Sen. Moore thought that there were quite a few residents who are living in Chapter 40B housing, where consumers are paying below market rate.

Secretary Bonner added that UMass Boston is about to release a study that measures the elder economic index. This methodology looks at the cost of food, transportation, housing, and healthcare. The study found that Massachusetts is the 6th most expensive state for seniors. The cost of housing is exceptionally high. The Secretary said that low income seniors cannot be effectively provided for unless the cost of housing, services, and transportation are addressed. Trish said that she found through the Annual Aggregate Data (AAD) Report that 9% of residents received some kind of subsidy.

6. **Legislative Update:** No Update

7. **Other Topics for Discussion:** May Shields asked how the Secretary felt about the changes to the nursing regulations with regard to delegation. The Secretary responded by saying that Massachusetts traditionally has not been a state that permits delegation under the Nurse Practice Act, which has limited the industry hiring medication technicians and allowing non-licensed personnel from giving a consumer their medication. The Secretary said that many states have

delegation and state agencies have looked at ways to reduce the cost of services including delegation.

Ellen Graham, a member of the public, asked the committee about the Assisted Living Bill in the Massachusetts Senate. Sen. Moore responded that the bill was currently in a study committee and that there would not be any additional updates before the end of the session.

8. **Adjournment:** The Council discussed moving the date of the next meeting from Tuesday, December 27th to a date in January.

11:16 am.